

Applicant: Archer et al.  
Application Serial No.: 10/779,485  
Filing Date: February 13, 2004  
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### **REMARKS**

Independent claims 1, 11, 18 and 19 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,147,304 to Doherty. This determination is respectfully traversed.

Independent claims 1, 18 and 19 are directed to a single gang electrical outlet box. Independent claim 11 is directed to a multiple gang outlet box.

With respect to claims 1 and 19, the present invention is directed to a rectangular outlet box where first and second mounting axes are defined for mounting fixtures along the mounting axes. The specific arrangement claimed in claims 1 and 19 sets forth that first and second axes be equidistant from a first side wall with one of the axes being closer to the first side wall than it is to a second side wall. This arrangement is shown schematically in Figure 5 of the present invention where first and second axes  $x_1$  and  $x_2$  are defined. The first side wall 16a lies between the axes  $x_1$  and  $x_2$  with each of the axes being equidistant from the first side wall ( $a_1 = a_2$ ). Moreover, as is clearly shown in Figure 5 and as described in paragraph [0026] of the specification, the distance  $b$ , which is the distance between the second side wall 16b and the first mounting axis  $x_1$ , is greater than  $a_1$  (and therefore, also  $a_2$ ) such that first mounting axis

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$x_1$  is closer to the first side wall 16a than it is to the second side wall 16b. Quite simply this arrangement is not shown in the Doherty reference.

Looking closely at Figures 1 and 2 of Doherty, two mounting axes are shown. The two mounting axes are defined along the line extending between the aligned sets of mounting holes 23. As clearly shown in Figure 2 of Doherty, there is no one single side wall in Doherty which is equidistant from both mounting axes. Further, both mounting axes are equally spaced within its own box. Therefore, neither of the mounting axes is closer to one of the side walls than the other side wall. As Doherty fails to disclose such features, Doherty cannot be anticipatory of claim 1.

Turning now to claim 18 of the present invention, it specifically recites a single gang outlet box having a rectangular housing where the mounting axis is positioned closer to one of the side walls of the housing for off center mounting of the fixture in the housing. Again, Doherty centers each of its mounting axes within its respective housing. Therefore, there is no ability, nor contemplation, to mount the fixture in an offset manner within the housing. Accordingly, Doherty is not anticipatory of claim 18.

Referring now to claim 11 of the present invention, it is initially noted that claim 11 is directed to a multi-gang outlet box. Doherty is limited to a single gang outlet box having only

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one box for a duplex receptacle and a second box solely for telephone and communication fixtures. Thus, Doherty does not disclose a multi-gang outlet box.

Moreover, claim 11 recites first, second and third mounting axes. Doherty shows only two mounting axes. The Examiner's contention that a third mounting axis is shown above reference line 44 in Figure 2 is without support. As shown in Figure 3, nothing is mounted in the bridge portion 40 of the Doherty reference. Thus there is simply no third mounting axis in Doherty.

Still further, as noted above, Doherty fails to show the arrangement between the first and second mounting axes and the side wall that is set forth in claim 11.

Accordingly, inasmuch as Doherty fails to show each and every element of the claimed invention, independent claims 1, 11, 18 and 19 are not anticipated by the Doherty reference. Therefore, the independent claims and the claims which depend therefrom are deemed to be patentably distinct thereover.

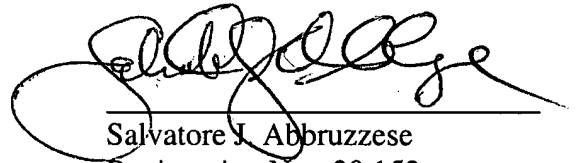
The Examiner has also cited U.S. Patent 5,568,362 to Hansson. As it relates to claim 10 of the present invention, Hansson fails to fill the deficiencies in Doherty.

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It is therefore respectfully submitted that the application including claims 1-19 is in condition for allowance. Favorable action thereon is respectfully solicited.

Should the Examiner wish to discuss this application in further detail, the Examiner is invited to contact Applicant's undersigned attorney by telephone at (973) 331-1700.

Respectfully submitted,



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